27th January 1931]

Legislative Council

Nominations to the Madras Legislative Council.

*48 *Q.*—Mr. A. B. Shetty: Will the hon. the Home Member be pleased to state—

(*a*) whether the reserved or the transferred parts of the Government or both were consulted by His Excellency before he made the nominations to this Council; and

(*b*) what names, if any, were recommended by them to His Excellency for nomination from South Kanara?

A.—(*a*) & (*b*) In the public interests, the Government decline to answer the question.

Mr. Abdul Hameed Khan:—"May I know what public interests prevent the hon. Member from giving the answer?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"I have nothing to add to the answer already given."

Mr. Abdul Hameed Khan:—"Sir, I wish to know from the hon. Member why when a Member of this Council puts a question the Government decline to answer."

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"Nominations to this Council is a matter entirely in the hands of His Excellency and it is open to him to take anybody's advice."

Mr. Abdul Hameed Khan:—"On a previous occasion I have asked the Members of Government to let us know how these matters are against public interest. Instead of giving an answer the hon. Member takes shelter under public interest."

The hon. the President:—"That is not a supplementary question."

Mr. Abdul Hameed Khan:—"I want your protection on behalf of the Members of this Council. There is no use of Government declining to answer on the ground of public interest."

The hon. the President:—"Hon. Members cannot force out an answer from the Members on the Treasury Bench."

Diwan Bahadur R. N. Arogyaswami Mudaliyar:—"May I know the principles on which the nominations are made?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"There are no special principles laid down."

Mr. C. Satyanarayana Choudari:—"May I know whether the discretion of the hon Member is fanciful or judicial?"

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"I have nothing to say."

Diwan Bahadur C. S. Ratnasabhapati Mudaliyar:—"May I know whether Government interest is also involved in public interest."

The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur:—"This is a matter which rests entirely in the discretion of His Excellency the Governor and it is open to him to take anybody's advice."